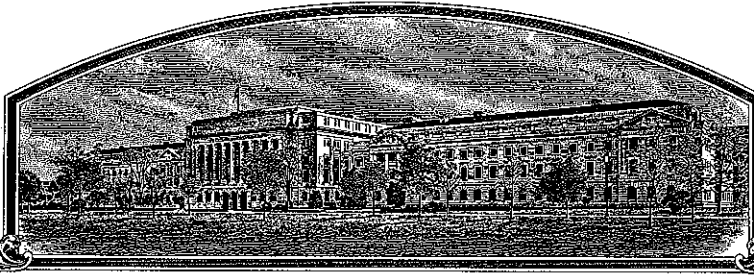


No.

9900366



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Frito-Lay North America, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

POTATO

'FL 1879'



In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this nineteenth day of September, in the year two thousand and five.

Attest:

[Signature]

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

[Signature]

Secretary of Agriculture

PRODUCE LOCALLY. Include form number 1 data on all reproductions

Form Approved - CMB No. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2427). Information is held confidential until certificate is issued (7 U.S.C. 2426).

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

NAME OF OWNER

Frito-Lay North America, Inc.

2. TEMPORARY DESIGNATION OR
EXPERIMENTAL NAME

RD 268-90-6

3. VARIETY NAME

FL 1879

ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)

7701 Legacy Drive
Plano, Texas 75024

5. TELEPHONE (include area code)

-972-334-3822

FOR OFFICIAL USE ONLY

PVPO NUMBER

9900366

6. FAX (include area code)

972-334-5965

FILING DATE

July 19, 1999

IF THE OWNER NAMED IS NOT A PERSON, GIVE FORM OF
ORGANIZATION (corporation, partnership, association, etc.)

Corporation

8. IF INCORPORATED, GIVE
STATE OF INCORPORATION

Delaware

9. DATE OF INCORPORATION

8/8/89

10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers)

Robert J. Jondle
Jondle & Associates, P.C.
9085 E. Mineral Circle, Suite 200
Centennial, CO 80112FILING AND EXAMINATION
FEES:: 2450
DATE July 19, 1999

CERTIFICATION FEE:

: 682.00
DATE 8/10/05

11. TELEPHONE (include area code)

202-783-6040

12. FAX (include area code)

202-783-6031

13. E-MAIL

bnewland@rfek.com

14. CROP KIND (Common Name)

Potato

15. GENUS AND SPECIES NAME OF CROP

Solanum tuberosum

16. FAMILY NAME (Botanical)

Solanaceae

17. IS THE VARIETY A FIRST GENERATION
HYBRID?☐ YES☒ NO18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on
reverse)a. ☒ Exhibit A. Origin and Breeding History of the Varietyb. ☒ Exhibit B. Statement of Distinctnessc. ☒ Exhibit C. Objective Description of Varietyd. ☒ Exhibit D. Additional Description of the Variety (Optional)e. ☒ Exhibit E. Statement of the Basis of the Owner's Ownershipf. ☒ Voucher Sample (A suitable untreated seed or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) statementg. ☒ Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF
CERTIFIED SEED? See Section 43(a) of the Plant Variety Protection Act☐ YES (If "yes", answer items 20
and 21 below)☒ NO (If "no," go to item 22)20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER
OF GENERATIONS?☐ YES☒ NO

21. IF "YES" TO ITEM 20, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?

☐ FOUNDATION☐ REGISTERED☐ CERTIFIED22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED
FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR
OTHER COUNTRIES?☐ YES☒ NOIF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE
FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL
PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)?☐ YES☒ NOIF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED
REFERENCE NUMBER. (Please use space indicated on reverse.)24. The owner declares that a suitable sample of seed or tuber of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or
for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. Exhibit FThe undersigned owner(s) is/are the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42
and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Owner(s) is/are informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF OWNER

Thomas P. Schur

SIGNATURE OF OWNER

NAME (Please print or type)

NAME (Please print or type)

Thomas P. Schur

CAPACITY OR TITLE

DATE

CAPACITY OR TITLE

DATE

Secretary, Recot, Inc.

9 July 1999

(See reverse for instructions and information collection burden statement)

FL 1879 originated in the Frito-Lay, Inc., private breeding program. In 1989, a cross was made by Dr. Martin Cipar, the Frito-Lay plant breeder, between Snowden and FL 1207. Snowden was chosen as a parent because of its ability to process into light-colored potato chips when stored several months at cold temperatures. Snowden also has high tuber sets and good yield potential as well as high content of dry matter. The variety FL 1207 is noted for excellent chip color out of long periods in cold storage. FL 1207 differs from FL 1879 in that FL 1207 has a moderate frequency of flowering in the field while FL 1879 flowers very infrequently in the field and the isozyme "fingerprint" of FL 1207 is distinct from that of FL 1879, as reflected in revised Exhibit D-1.

Botanical seeds of the cross Snowden x FL 1207 were grown in the Frito-Lay greenhouse at Rhinelander, Wisconsin, in 1989. A single tuber from each resulting seedling was planted in the field in 1990. the stage at which each seedling is represented by a single plant (hill) in the field is considered Year 1 in the Frito-Lay breeding program. At harvest, selections were made on the basis of tuber size, number, shape, and absence of external defects. All of the tubers of each selected plant were retained and from this point on each selected individual was propagated clonally. The tubers harvested from each selection in 1990 were planted to form a small plot in 1991 (Year 2). At harvest, further selection took place for tuber type, apparent yielding ability, and absence of internal or external defects. Selected plots were given an experimental number. The selection that later became FL 1879 was designated RD 268-90-6. Some of the tubers harvested in the second year plot were used for estimating solids content and chip quality while the remainder were used for seed for the Year 3 plot.

In 1992, RD 268-90-6 was planted in the Rhinelander field as a larger plot of approximately 200 plants. After passing visual selection at harvest, samples were again tested for solids content and chip quality at several intervals in the storage season. RD 268-90-6 was found to have a moderately high content of dry matter (slightly lower than that of Snowden, similar to that of Norchip), and excellent chip color both fresh from the field and after storage from October through April.

In 1993, RD 269-90-6 was grown in a replicated yield trial near Iola, Wisconsin, in a commercial potato field. Iola is typical of northern commercial potato production areas, in contrast to Rhinelander, which is a short-season area more suited to growing seed potatoes. In this trial, RD 268-90-6 again demonstrated high yield potential, moderately high solids content, excellent processing quality, and medium maturity.

In 1994, RD 268-90-6 was given the new designation "FL 1879" and entered in the national area trials program conducted in Florida, Texas, California, Washington, Main, Michigan, Wisconsin, North Dakota and New Mexico. The combined results of these trials indicated that FL 1879 had the most potential as a storage chipping variety for the northern states of the United States as well as areas of Texas and New Mexico that grow chipping potatoes for storage. It has a pale yellow flesh that produces an attractive, golden potato chip. FL1879 is resistant to tuber blemishes caused by early blight (*Alternaria solani*), which is very advantageous in some production areas.

In 1996, small seedlots were grown in two locations in Nebraska, Texas and New Mexico for chips, confirming that FL 1879 has good potential as a high yielding variety with good processing quality out of storage.

The variety FL 1879 has been uniform and stable since its origin as a single plant in 1990. No variants of FL 1879 have been observed.

EXHIBIT B. Statement of Distinctness

As a chipping variety to be grown principally for processing out of storage, FL 1879 is most similar to Snowden. FL 1879 can be distinguished from Snowden in regard to the following traits:

Tuber flesh color: FL 1879 has pale yellow flesh (Royal Horticulture Society Colour value 160D), whereas the flesh color of Snowden is white (RHS value 158A).

Tuber shape: FL 1879 has oval tubers, with mean length/width ratio of 1.110, whereas Snowden has almost completely round tubers with a mean length/width ratio of 1.016.

Growth Habit: FL 1879 has a semi-erect growth habit, while Snowden is more erect. Plants of FL 1879 are shorter and more compact than those of Snowden. The leaf silhouette of FL 1879 is more nearly closed than that of Snowden.

Flowering: While both FL 1879 and Snowden have white flowers that are very similar, flowering is much more frequent in Snowden. Only a very small percentage of FL 1879 plants in the field have flowers at all (see photograph of FL 1879 in field, Exhibit D-2). Snowden flowers with moderate frequency in the field.

Isozyme pattern: Dr. David Douches of Michigan State University has conducted isozyme fingerprints of all available North American potato varieties and has not found any two varieties with the same pattern for the enzymes tested. Dr. Douches has established the isozyme fingerprint of FL 1879 as being distinct from that of any other variety he has tested, including Snowden. See Exhibit D-1, Additional Description of the Variety, for the actual isozyme fingerprints of FL 1879 and Snowden, and a reference to the methodology used in establishing these patterns.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION
PLANT VARIETY PROTECTION OFFICE

EXHIBIT C
OBJECTIVE DESCRIPTION OF VARIETY
POTATO (*Solanum tuberosum* L.)

Public reporting burden for this collection of information is estimated to average minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the form. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing this burden, to USDA, OIRM, Clearance Officer, AG Box 7630, Washington, DC 20250, regarding OMB No. 0581-0055. When replying, refer to OMB number and form number you your letter.

INSTRUCTIONS

The Objective Description Form:

The objective description form lists characteristics to be used as the basis for developing the description of potato varieties. It is designed to guide the applicant in describing a variety in detail so a meaningful comparison with other potato varieties can be accomplished. It is recommended that this form be completed in as much detail as possible to ensure an accurate description. Please fill in the requested data and place the appropriate number that describes the varietal characters typical of this potato variety and the reference varieties in the respective boxes.

Test Guidelines:

Any statistical and trial (field test) data that may be necessary to support the variety description should be attached to this form. Please include for trial data the plot size, number of replications, number of plants, plant spacing, trial locations and growing periods. Trials should normally be conducted at one place, in the region that the variety has been adapted for, with a minimum of one growing period in the United States. All comparative data should be determined from varieties entered in the same trials. The size of the plots should be such that plants or parts of plants may be removed for measuring and counting without prejudice to the observations which must be made at the end of the growing period. As a minimum, each test should include a total of 60 plants which should be divided between two or more replicates. Separate plots for observation and measuring can only be used if they have been subject to similar environmental conditions. To determine color for a plant or plant parts a recognized standard color chart must be used such as the Royal Horticultural Society (R.H.S.) Color Chart.

Reference Varieties:

The application variety should be compared to at least one reference variety preferably a set of reference varieties. The reference varieties should be market class standard varieties currently grown in the United States and or the variety(ies) most similar. The following varieties are recommended as market class standards to be used as reference varieties:

Yellow-flesh table-stock	Yukon Gold
Round-white table-stock	Superior
Chip-processing	Atlantic, Snowden, Norchip
Frozen-processing	Russet Burbank
Russet table-stock	Russet Burbank, Russet Norkotah, Goldrush
Red table-stock	Red Pontiac, Red Norland, Red Lasoda

If the applicant does not use one of the recommended reference varieties the PVP office may not have a complete description for the reference variety used; therefore the applicant may have to supply this description by completing an Exhibit C form for the reference variety.

Characteristics:

The plant type and growth habit characteristics are collected at early first bloom. Figure 1 is supplied to help visualize the growth habit. For this descriptor, look at the stems rather than the stems and foliage. Plant maturity is measured at natural vine senescence.

4 Stem characteristics are also collected at early bloom. Stem anthocyanin coloration is divided into two descriptors: Location and intensity. Figure 12 is supplied to give an example of stem wings.

Leaf characteristics are observed at early first bloom. Fully-developed leaves located on the middle third of the plant should be used. Leaf pubescence refers to general trichomes. Figure 2 is supplied for examples of leaf silhouette. Figure 3 should be used to describe terminal and primary leaflet shape. Figures 4 and 5 are used to describe the terminal and primary leaflet shape of tip and base, respectively. To measure the total number of primary leaflets pairs, collect 10 fully-developed petioles (with leaves attached from each replication and take the average number of secondary and tertiary leaflets. Figure 11 is supplied to define leaf characteristics. Glandular trichomes should be described through descriptor #12 (Additional Comments and Characteristics). Leaf stipules are shown in figure 13 for visual definition.

Inflorescence characteristics should be measured at early first bloom. Figures 6 and 7 are supplied to describe corolla and anther shape, respectively. Corolla, calyx, anther, stigma and pollen should be observed on newly opened flowers.

Berry production should be based on field-grown plants rather than greenhouse plants.

Tuber characteristics should be observed following harvest. Figures 9 and 10 are available to describe distribution of secondary color and tuber shape, respectively.

Disease and pest reactions should be based upon specific tests rather than field observations. Other diseases or pests reactions not requested can be described if it is felt that it would be helpful to the description.

Quality characteristics should be described according to the market use.

If the plant is transgenic, this gene insertion(s) should be described.

Chemical identification and any other characteristics can be describe if they are helpful in distinguishing the variety.

A rating system of 1-9 provides a scale for describing most characteristics in this form. Characteristic may be rated with intermediate values where the characteristic grades gradually from one extreme to another. For example, if the character states are described as: 3 = Small; 5 = Medium; 7 = Large; the other values of 1, 2, 4, 6, 8, or 9 may be selected.

Legend:

V = Application Variety

R1-R4 = Reference Varieties

* = Both the reference variety(ies) and application variety must be described for characteristics designated with an asterisk.

NAME OF APPLICANT(S) Frito-Lay North America, Inc.	FOR OFFICIAL USE ONLY PVPO NUMBER 5900366
ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) 7701 Legacy Drive Plano, Texas 75024	VARIETY (V) NAME FL1879
	TEMPORARY OR EXPERIMENTAL DESIGNATION RD 268-90-6

REFERENCE VARIETIES: Enter the reference variety name in the appropriate box

Reference Variety 1 (R1)	Reference Variety 2 (R2)	Reference Variety 3 (R3)	Reference Variety 4 (R4)
Snowden			

1. MARKET CHARACTERISTICS:

MARKET CLASS:

1 = Yellow-flesh tablestock; 2 = Round-white tablestock; 3 = Chip-processing; 4 = Frozen-processing;
5 = Russet tablestock; 6 = Other _____

V	3	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

2. PLANT CHARACTERISTICS:

GROWTH HABIT: (See figure 1)

3 = Erect (>45° with ground); 5 = Semi-erect (30-45° with ground); 7 = Spreading.

V	5	R1	3	R2		R3		R4	
---	---	----	---	----	--	----	--	----	--

TYPE:

1 = Stem (foliage open, stems clearly visible); 2 = Intermediate; 3 = Leaf (Foliage closed, stems hardly visible)

V	2	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

MATURITY: Days after planting (DAP) at vine senescence

V	135	R1		R2		R3		R4	
---	-----	----	--	----	--	----	--	----	--

PLANTING DATE:

V	4-15	R1		R2		R3		R4	
---	------	----	--	----	--	----	--	----	--

REGION/AREA:

V	North Central	R1		R2		R3		R4	
---	------------------	----	--	----	--	----	--	----	--

6

MATURITY CLASS:

1 = Very Early (<100 DAP); 2 = Early (100-110 DAP); 3 = Mid-season (111-120 DAP); 4 = Late (121-130 DAP);
5 = Very Late (>130 DAP).

V	4	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

3. STEM CHARACTERISTICS: *Measure at early first bloom*

* **STEM ANTHOCYANIN COLORATION:**
1 = Absent; 3 = Weak; 5 = Medium; 7 = Strong; 9 = Very Strong

V	1	R1	1	R2		R3		R4	
---	---	----	---	----	--	----	--	----	--

STEM WINGS: *(See figure 12)*

1 = Absent; 3 = Weak; 5 = Medium; 7 = Strong; 9 = Very Strong

V	5	R1	7	R2		R3		R4	
---	---	----	---	----	--	----	--	----	--

4. LEAF CHARACTERISTICS:

LEAF COLOR: *(Observe fully developed leaves located on middle 1/3 of plant)*

1 = Yellowish-green; 2 = Olive-green; 3 = Medium green; 4 = Dark green; 5 = Grey-green; 6 = Other _____

V	3	R1	2	R2		R3		R4	
---	---	----	---	----	--	----	--	----	--

LEAF COLOR CHART VALUE: *(Observe fully developed leaves located on middle 1/3 of plant & circle the appropriate color chart)*

V	137A	R1	137A	R2		R3		R4	
---	------	----	------	----	--	----	--	----	--

LEAF PUBESCENCE DENSITY:

1 = Absent; 2 = Sparse; 3 = Medium; 4 = Thick; 5 = Heavy

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

LEAF PUBESCENCE LENGTH:

1 = None; 2 = Short; 3 = Medium; 4 = Long; 5 = Very long

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

(Note: Descriptor #19 can be used to describe the type and length of the glandular trichomes observed.)

* **LEAF SILHOUETTE:** *(See figure 2)*

1 = Closed; 3 = Medium; 5 = Open

V	3	R1	3	R2		R3		R4	
---	---	----	---	----	--	----	--	----	--

PETIOLES ANTHOCYANIN COLORATION:

1 = Absent; 3 = Weak; 5 = Medium; 7 = Strong; 9 = Very Strong

V	1
---	---

R1	
----	--

R2	
----	--

R3	
----	--

R4	
----	--

LEAF STIPULES SIZE: (See figure 13)

1 = Absent; 3 = Small; 5 = Medium; 7 = Large

V	
---	--

R1	
----	--

R2	
----	--

R3	
----	--

R4	
----	--

TERMINAL LEAFLET SHAPE: (See figure 3 & 11)1 = Narrowly ovate; 2 = Medium ovate; 3 = Broadly ovate; 4 = Lanceolate; 5 = Elliptical;
6 = Obovate; 7 = Oblong; 8 = Other_____

V	2
---	---

R1	
----	--

R2	
----	--

R3	
----	--

R4	
----	--

TERMINAL LEAFLET TIP SHAPE: (See figure 4 & 11)

1 = Acute; 2 = Cuspidate; 3 = Acuminate; 4 = Obtuse; 5 = Other_____

V	2
---	---

R1	
----	--

R2	
----	--

R3	
----	--

R4	
----	--

*

TERMINAL LEAFLET BASE SHAPE: (See figure 5 & 11)

1 = Cuneate; 2 = Acute; 3 = Obtuse; 4 = Cordate; 5 = Truncate; 6 = Lobed; 7 = Other_____

V	3
---	---

R1	
----	--

R2	
----	--

R3	
----	--

R4	
----	--

*

TERMINAL LEAFLET MARGIN WAVINESS:

1 = Absent; 2 = Slight; 3 = Weak; 4 = Medium; 5 = Strong

V	4-5
---	-----

R1	
----	--

R2	
----	--

R3	
----	--

R4	
----	--

NUMBER OF PRIMARY LEAFLET PAIRS: (See figure 11)**AVERAGE:**

V	3
---	---

R1	
----	--

R2	
----	--

R3	
----	--

R4	
----	--

RANGE:

V	to	R1	to	R2	to	R3	to	R4	to
---	----	----	----	----	----	----	----	----	----

PRIMARY LEAFLET TIP SHAPE: (See figure 4 & 11)

1 = Acute; 2 = Cuspidate; 3 = Acuminate; 4 = Obtuse; 5 = Other_____

V	3
---	---

R1	
----	--

R2	
----	--

R3	
----	--

R4	
----	--

8

* **PRIMARY LEAFLET SIZE:**

1 = Very Small; 2 = Small; 3 = Medium; 4 = Large; 5 = Very Large

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

PRIMARY LEAFLET SHAPE: (See figure 3 & 11)

1 = Narrowly ovate; 2 = Medium ovate; 3 = Broadly ovate; 4 = Lanceolate; 5 = Elliptical;
6 = Obovate; 7 = Oblong; 8 = Other _____

V	2	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

PRIMARY LEAFLET BASE SHAPE: (See figure 5 & 11)

1 = Cuneate; 2 = Acute; 3 = Obtuse; 4 = Cordate; 5 = Truncate; 6 = Lobed; 7 = Other _____

V	6	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

NUMBER OF SECONDARY AND TERTIARY LEAFLET PAIRS: (See figure 11)

AVERAGE:

V	20	R1		R2		R3		R4	
---	----	----	--	----	--	----	--	----	--

RANGE:

V	8 to 10	R1	to	R2	to	R3	to	R4	to
---	---------	----	----	----	----	----	----	----	----

5. INFLORESCENCE CHARACTERISTICS:

NUMBER OF INFLORESCENCE / PLANT:

AVERAGE:

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

RANGE:

V	to	R1	to	R2	to	R3	to	R4	to
---	----	----	----	----	----	----	----	----	----

NUMBER OF FLORETS / INFLORESCENCE:

AVERAGE:

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

RANGE:

V	to	R1	to	R2	to	R3	to	R4	to
---	----	----	----	----	----	----	----	----	----

*

COROLLA INNER SURFACE COLOR CHART VALUE: Royal Horticulture Society Color Chart or Munsell Color Chart
(Measure predominant color of newly open flower & circle the appropriate color chart)

V	155D	R1		R2		R3		R4	
---	------	----	--	----	--	----	--	----	--

* **COROLLA INNER SURFACE COLOR:** *(Measure predominant color of newly open flower)* 9900366
 1 = White; 2 = Red-violet; 3 = Blue-violet; 4 = Other

V	1	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

COROLLA SHAPE: *(See figure 6)*
 1 = Very rotate; 2 = Rotate; 3 = Pentagonal; 4 = Semi-stellate; 5 = Stellate

V	3	R1	4	R2		R3		R4	
---	---	----	---	----	--	----	--	----	--

CALYX ANTHOCYANIN COLORATION:
 1 = Absent; 3 = Weak; 5 = Medium; 7 = Strong; 9 = Very strong

V	1	R1	1	R2		R3		R4	
---	---	----	---	----	--	----	--	----	--

ANTHER COLOR CHART VALUE: Royal Horticulture Society Color Chart or Munsell Color Chart
(Measure when newly opened flower is fully expanded and circle the appropriate color chart)

V	9A	R1	14B	R2		R3		R4	
---	----	----	-----	----	--	----	--	----	--

ANTHER SHAPE: *(See figure 7)*
 1 = Broad cone; 2 = Narrow cone; 3 = Pear shape cone; 4 = Loose; 5 = Other

V	2	R1	3	R2		R3		R4	
---	---	----	---	----	--	----	--	----	--

POLLEN PRODUCTION:
 1 = None; 3 = Some; 5 = Abundant

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

STIGMA SHAPE: *(See figure 8)*
 1 = Capitate; 2 = Clavate; 3 = Bi-lobed

V	1	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

STIGMA COLOR CHART VALUE: Royal Horticulture Society Color Chart or Munsell Color Chart
(Circle the appropriate color chart)

V	137A	R1		R2		R3		R4	
---	------	----	--	----	--	----	--	----	--

BERRY PRODUCTION: *(Under field conditions)*
 1 = None; 3 = Low; 5 = Moderate; 7 = Heavy; 9 = Very heavy

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

5. TUBER CHARACTERISTICS:

*

PREDOMINANT SKIN COLOR:

1 = White; 2 = Light Yellow; 3 = Yellow; 4 = Buff; 5 = Tan; 6 = Brown; 7 = Pink; 8 = Red;
 9 = Purplish-red; 10 = Purple; 11 = Dark purple-black; 12 = Other_____

V	5	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

PREDOMINANT SKIN COLOR CHART VALUE: Royal Horticulture Society Color Chart or Munsell Color Chart
 (Circle the appropriate color chart)

V	199B	R1		R2		R3		R4	
---	------	----	--	----	--	----	--	----	--

SECONDARY SKIN COLOR:

1 = Absent; 2 = Present, please describe: _____

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

SECONDARY SKIN COLOR CHART VALUE: Royal Horticulture Society Color Chart or Munsell Color Chart
 (Circle the appropriate color)

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

SECONDARY SKIN COLOR DISTRIBUTION:

1 = Eyes; 2 = Eyebrows; 3 = Splashed; 4 = Scattered; 5 = Spectacled; 6 = Stippled; 7 = Other_____

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

SKIN TEXTURE:

1 = Smooth; 2 = Rough (flaky); 3 = Netted; 4 = Russetted; 5 = Heavily russetted; 6 = Other_____

V	1	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

*

TUBER SHAPE: (See figure 10)

1 = Compressed; 2 = Round; 3 = Oval; 4 = Oblong; 5 = Long; 6 = Other_____

V	3	R1	2	R2		R3		R4	
---	---	----	---	----	--	----	--	----	--

TUBER THICKNESS:

1 = Round; 2 = Medium thick; 3 = Slightly flattened; 4 = Flattened; 5 = Other_____

V	3	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

TUBER LENGTH (mm):

9900366

AVERAGE:

V 80

R1 64

R2

R3

R4

RANGE:

V 62 to 105

R1 43 to 94

R2 to

R3 to

R4 to

STANDARD DEVIATION:

V

R1

R2

R3

R4

AVERAGE WEIGHT OF SAMPLE TAKEN:

V

R1

R2

R3

R4

TUBER WIDTH (mm):

AVERAGE:

V 73

R1 63

R2

R3

R4

RANGE:

V 60 to 90

R1 48 to 88

R2 to

R3 to

R4 to

STANDARD DEVIATION:

V

R1

R2

R3

R4

AVERAGE WEIGHT OF SAMPLE TAKEN:

V

R1

R2

R3

R4

TUBER THICKNESS (mm):

AVERAGE:

V 52

R1 49

R2

R3

R4

RANGE:

V 40 to 68

R1 35 to 78

R2 to

R3 to

R4 to

STANDARD DEVIATION:

V

R1

R2

R3

R4

AVERAGE WEIGHT OF SAMPLE TAKEN:

V

R1

R2

R3

R4

TUBER EYE DEPTH:

1 = Protruding; 2 = Shallow; 3 = Intermediate; 4 = Deep; 5 = Very deep

V 3

R1 3

R2

R3

R4

12

TUBER LATERAL EYES

9900366

1 = Protruding; 2 = Shallow; 3 = Intermediate; 4 = Deep; 5 = Very deep

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

NUMBER EYE / TUBER:

AVERAGE:

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

RANGE:

V		to	R1		to	R2		to	R3		to	R4		to
---	--	----	----	--	----	----	--	----	----	--	----	----	--	----

DISTRIBUTION OF TUBER EYES:

1 = Predominantly apical; 2 = Evenly distributed

V	2	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

PROMINENCE OF TUBER EYEBROWS:

1 = Not prominent; 2 = Slight prominence; 3 = Medium prominence; 4 = Very prominent; 5 = Other

V	2	R1	2	R2		R3		R4	
---	---	----	---	----	--	----	--	----	--

*

PRIMARY TUBER FLESH COLOR CHART VALUE: Royal Horticulture Society Color Chart or Munsell Color Chart

(Circle the appropriate color chart)

V	160D	R1	158A	R2		R3		R4	
---	------	----	------	----	--	----	--	----	--

SECONDARY TUBER FLESH COLOR:

1 = Absent; 2 = Present, please describe:

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

SECONDARY TUBER FLESH COLOR CHART VALUE: Royal Horticulture Society Color Chart or Munsell Color Chart

(Circle the appropriate color chart)

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

NUMBER OF TUBERS / PLANT:

1 = Low (<8); 2 = Medium (8 -15); 3 = High (>15)

V	2	R1	2-3	R2		R3		R4	
---	---	----	-----	----	--	----	--	----	--

9. QUALITY CHARACTERISTICS:

9900366

CHIEF MARKET:

Chip Processing

SPECIFIC GRAVITY (wt. air /wt. air - wt. water)

1 < 1.060; 2 = 1.060-1.069; 3 = 1.070-1.079; 4 = 1.080-1.089; 5 > 1.090

V	3
---	---

R1	
----	--

R2	
----	--

R3	
----	--

R4	
----	--

TOTAL GLYCOALKALOID CONTENT (mg. / 100 g. fresh tuber)

V	10.7
---	------

R1	
----	--

R2	
----	--

R3	
----	--

R4	
----	--

Mean of two tests

OTHER QUALITY CHARACTERISTICS: Describe any other quality characteristics that may aid in identification, (e.g. chip-processing, french fry processing, baking, boiling, after-cooking darkening). Please attach data and corresponding protocol.

11. CHEMICAL IDENTIFICATION:

Describe chemical traits of the candidate variety that aid in its identification (e.g. protein or DNA electrophoresis). Please attach data and the corresponding protocol.

FL1879 was "fingerprinted" by DNA electrophoresis in 1995. See Exhibit D.

12. ADDITIONAL COMMENTS AND CHARACTERISTICS:

Include any additional descriptors that would be useful in distinguishing the candidate variety.

Exhibit C-1 -- Photograph of FL1879 lightsprout

Exhibit C-2 -- Photograph of FL1879 tuber

6. DISEASES CHARACTERISTICS:

DISEASES REACTION: 0 = NOT TESTED; 1 = RESISTANT; 3 = MODERATELY RESISTANT;
5 = MODERATELY SUSCEPTIBLE; 7 = SUSCEPTIBLE; 9 = HIGHLY SUSCEPTIBLE

BACTERIAL RING ROT, FOLIAR REACTION:

V	7	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

BACTERIAL RING ROT, TUBER REACTION:

V	7	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

LATE BLIGHT:

V	3	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

PLRV (LEAF ROLL):

V	0	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

PVX:

V	0	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

PVY:

V	9	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

OTHER: Tuber Early Blight

V	1	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

OTHER:

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

7. PESTS CHARACTERISTICS:

PEST REACTION: 0 = NOT TESTED; 1 = RESISTANT; 3 = MODERATELY RESISTANT;
5 = MODERATELY SUSCEPTIBLE; 7 = SUSCEPTIBLE; 9 = HIGHLY SUSCEPTIBLE

GOLDEN NEMATODE:

V	7	R1		R2		R3		R4	
---	---	----	--	----	--	----	--	----	--

OTHER:

V		R1		R2		R3		R4	
---	--	----	--	----	--	----	--	----	--

8. GENE TRAITS:

INSERTION OF GENES:

☐

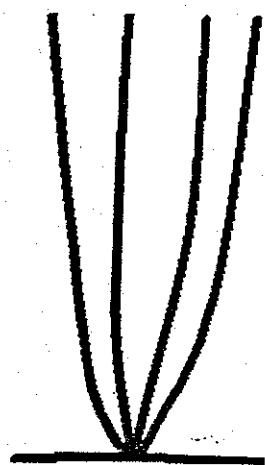
YES

☒

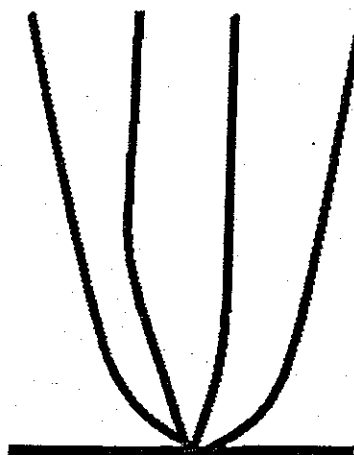
NO

If YES, describe the gene(s) introduced or attach information:

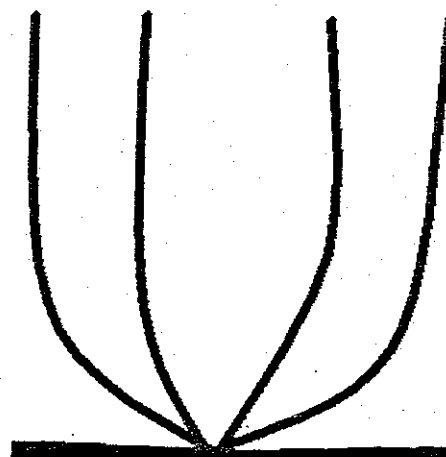
15

Figure 1: Growth Habit

3 = Erect
 $>45^\circ$ with ground



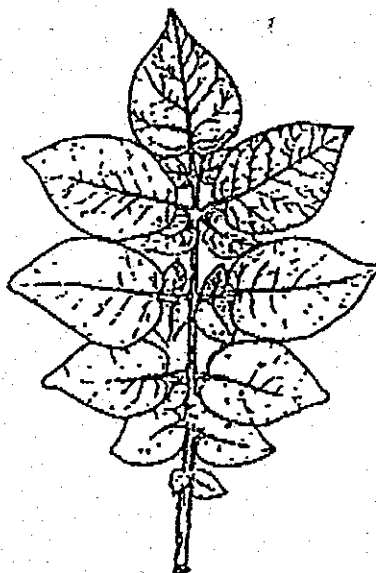
5 = Semi-erect
 $30-45^\circ$ with ground



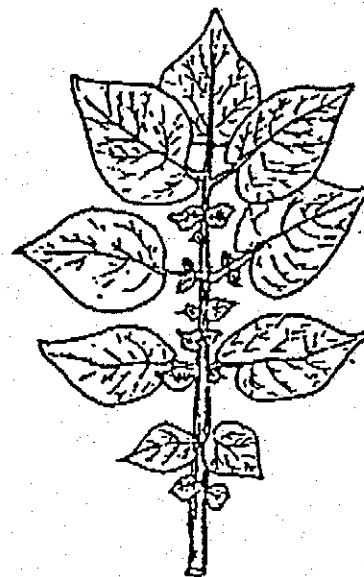
7 = Spreading
 $<30^\circ$ with ground

Figure 2: Leaf Silhouette

1 = Closed



3 = Medium

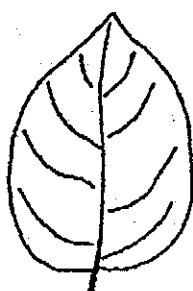


5 = Open

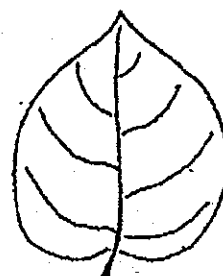
Figure 3: Terminal Leaflet Shape / Primary Leaflet Shape



**1=Narrowly
Ovate**



**2=Medium
Ovate**



**3=Broadly
Ovate**



4=Lanceolate



5=Elliptical



6=Obovate



7=Oblong

Figure 4: Terminal Leaflet Shape of Tip / Primary Leaflet Shape of Tip

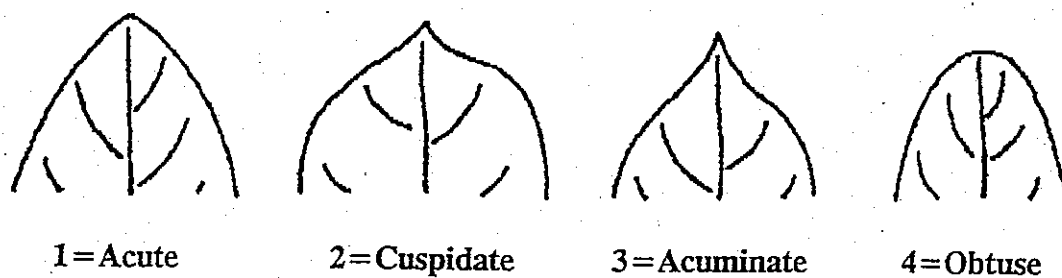


Figure 5: Terminal Leaflet Shape of Base / Primary Leaflet Shape of Base

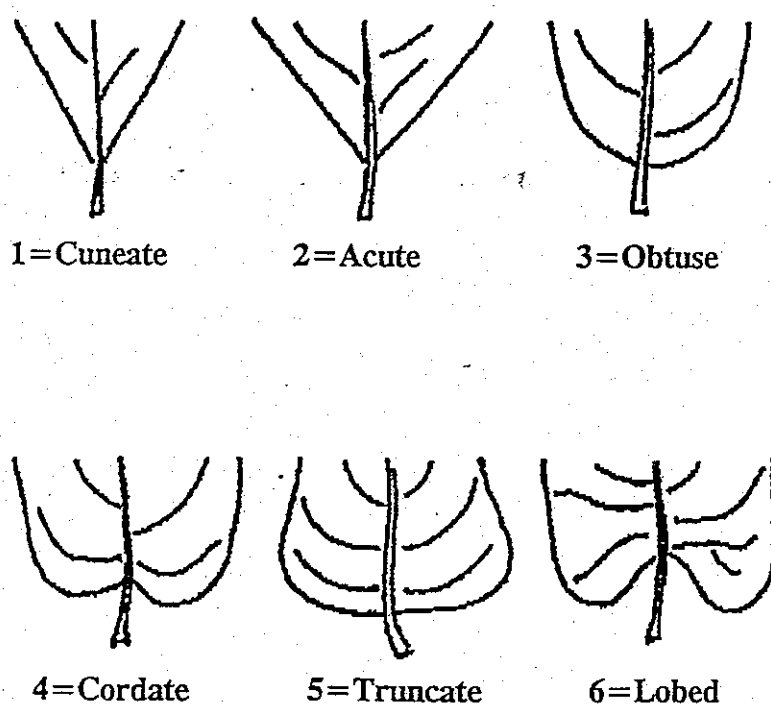
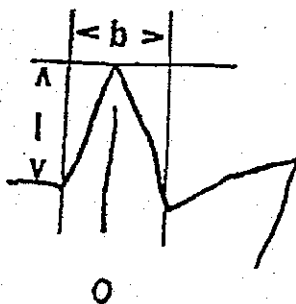
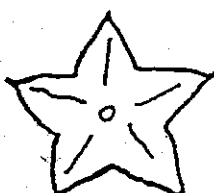


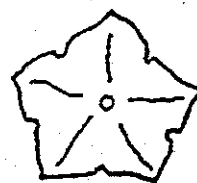
Figure 6: Corolla Shape



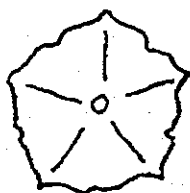
stellate
 $l > b$



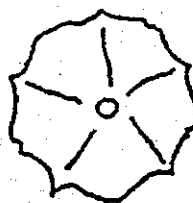
semi-stellate
 $l = b$



pentagonal
 $l < b$



rotate
 $l << b$



very rotate
 $l <<< b$

Figure 7: Anther Shape

1=Broad cone



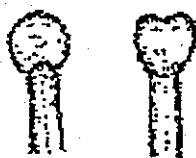
2=Narrow cone



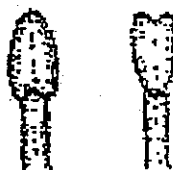
3=Pear shape cone



4=Loose

Figure 8: Stigma Shape

1=Capitate



2=Clavate



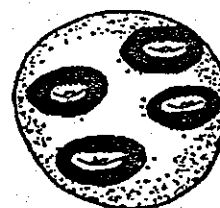
3=Bilobed

Figure 9: Distribution of Secondary Tuber Color

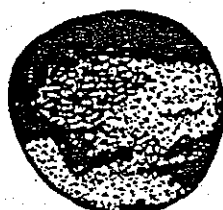
1=Eyes



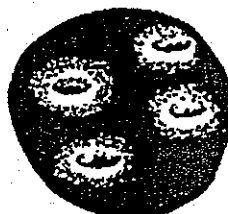
2=Eyebrows



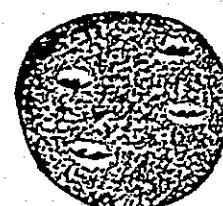
3=Splashed



4=Scattered



5=Spectacled



6=Stippled

Figure 10: Tuber Shape

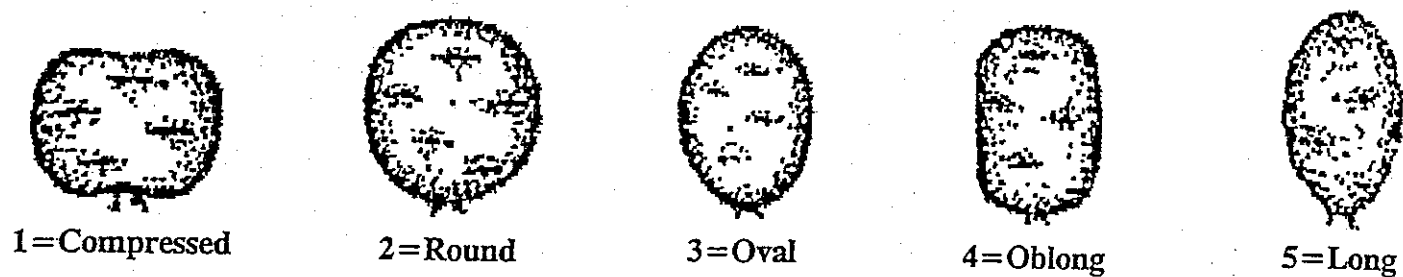


Figure 11: Leaf Dissection

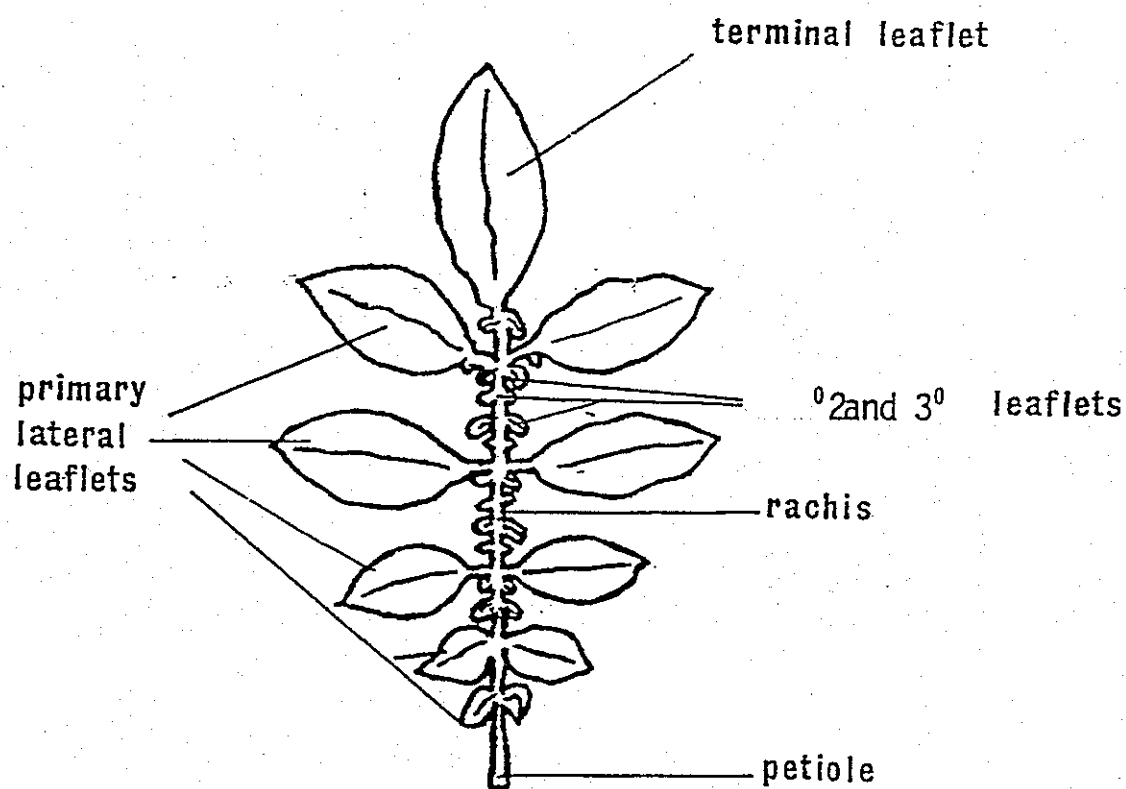


Figure: 12 Stem Wings

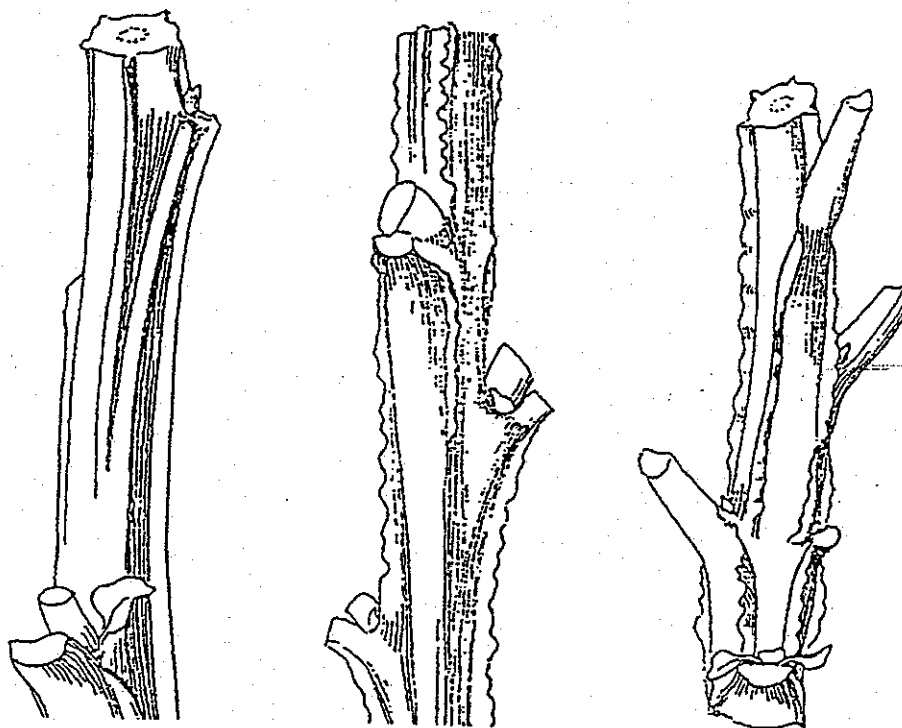
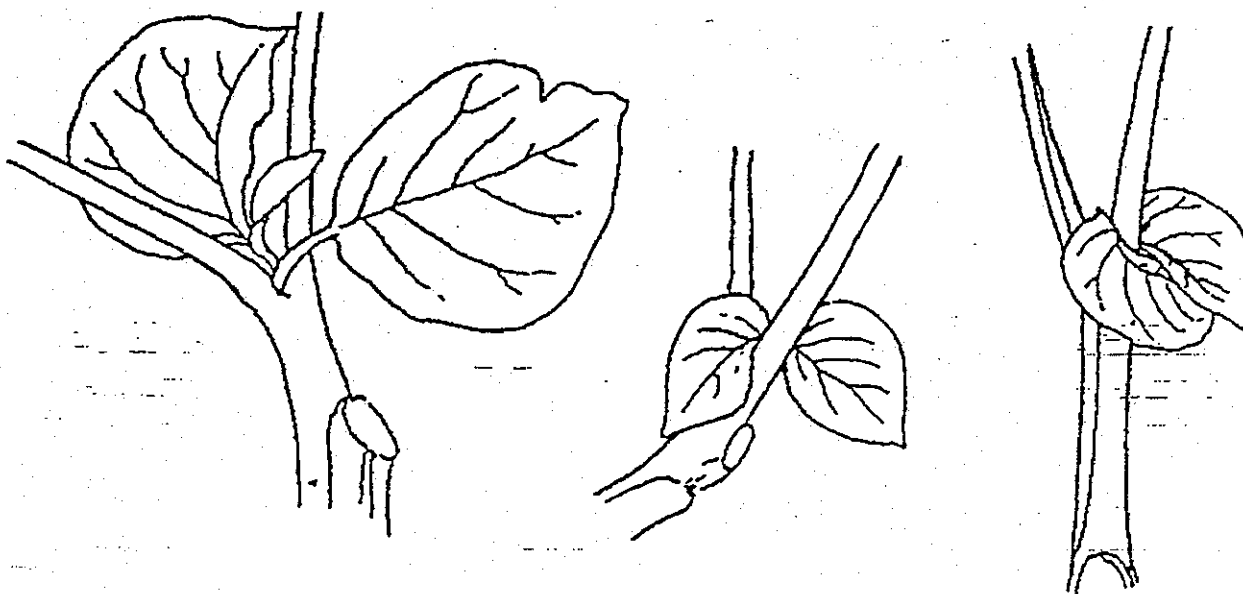


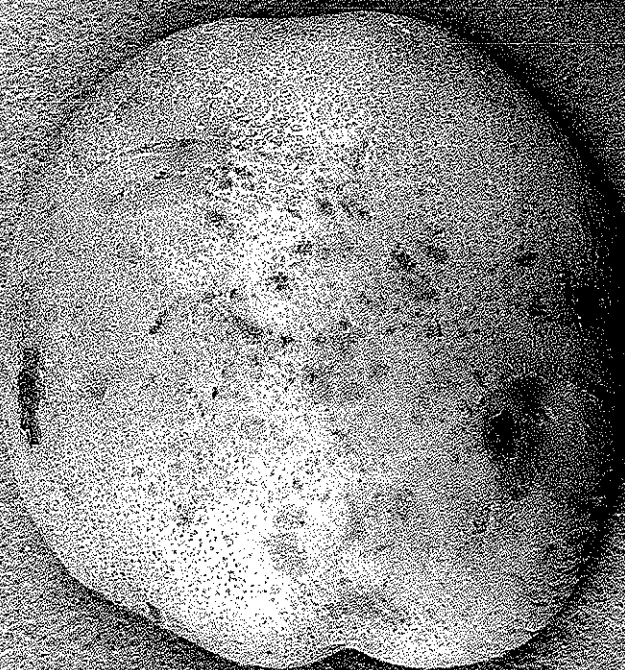
Figure 13: Leaf Stipules:





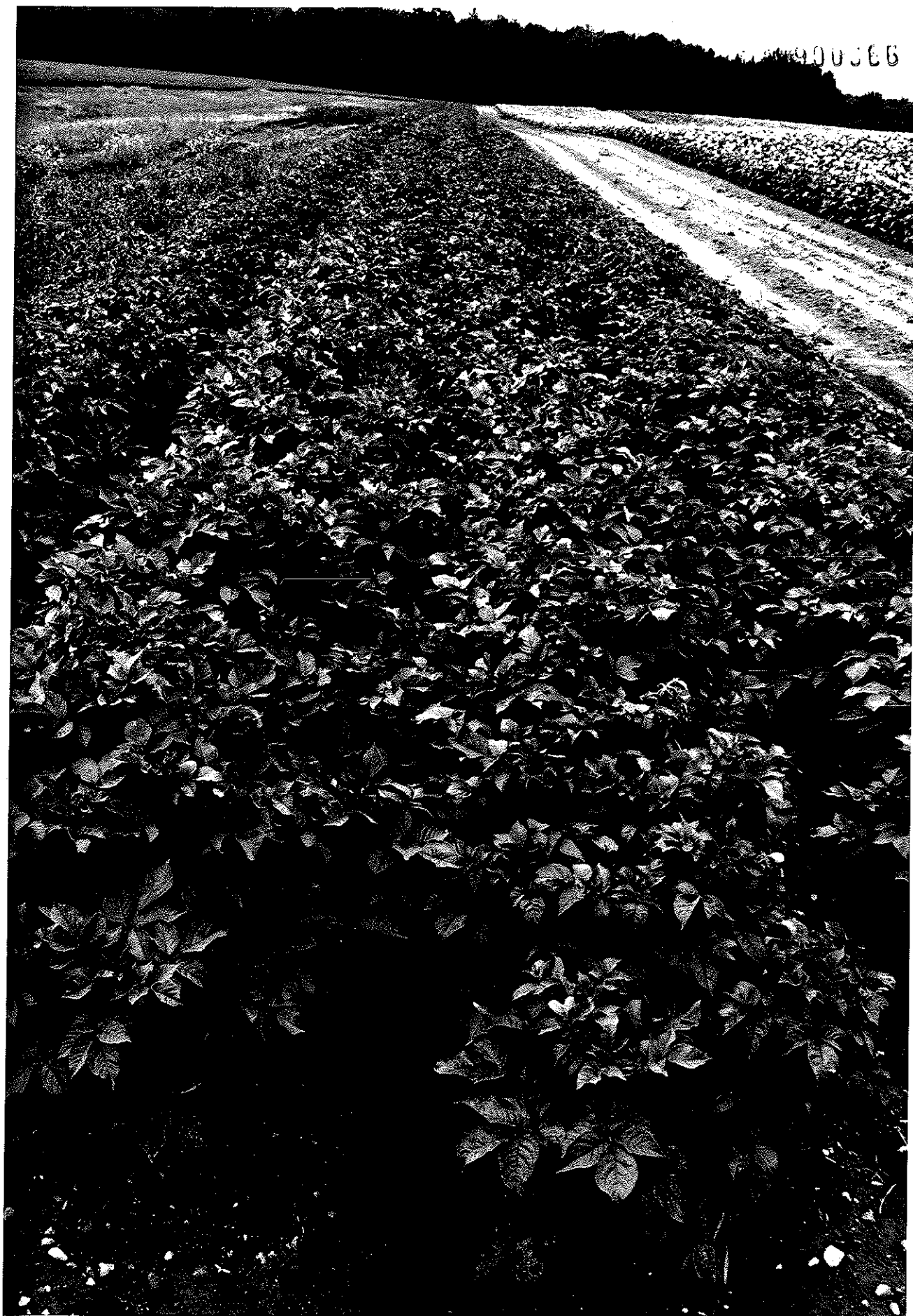


9900366



FL1879

900366



FL 1879

EXHIBIT D. Additional Description of the Variety

- 1) Isozyme fingerprint of FL 1879 with reference to methodology. Comparison of fingerprint of FL 1879 with that of Snowden, showing distinct patterns for each variety.
- 2) Photograph of typical FL 1879 plants in the field at Rhinelander
- 3) Photograph of typical compound leaf of FL 1879 from Rhinelander field
- 4) Photograph of FL 1879 flowers
- 5) Photocopy of typical leaf silhouette of FL 1879
- 6) Summary of 100-tuber sample of tuber dimensions of FL 1879 compared to 100 tubers of Snowden. Each 100-tuber sample was grown at the same time and under the same conditions.

EXHIBIT E. Statement of the Basis of the Applicant's Ownership

The variety FL 1879 for which Plant Variety Protection is hereby sought was developed by breeders who have assigned all rights to inventions and discoveries made by them to Ricot, Inc., with no ownership rights of any kind retained by the breeders.

EXHIBIT F. Deposit Statement

Upon issuance of the Plant Variety Protection Certificate for FL 1879, applicant will deposit tissue culture for the tubers in a public repository.

EXHIBIT D-1

Isozyme electrophoresis fingerprints of FL1879 compared to Snowden and FL 1207

Variety	Mdh-1	Mdh-2	6-Pgdh-3	Idh-1	Pgi-1	Aps-1	Got-1	Got-2	Pgm-1	Pgm-2	Dia-1	Prx-1	Adh-1
<u>1995</u>													
Snowden	1224	2222	2222	1112	2222	--	3344	3555	1122	2223	1111	--	--
FL 1207	2244	2222	1112	--	2222	1133	3334	3355	1133	2222	--	1111	2222
FL1879	2234	2222	1122	--	2222	--	3344	3333	1123	2222	--	1113	--

Source of Data: Dr. David Douches, Michigan State University, 1995

Procedures and allelic designations used are according to Douches, D.S. and K. Ludlam. 1991. Electrophoretic Characterization of North American Potato Cultivars. Am. Potato J. 68:767-780.

83-57

9900366

76-47

73-40

72-41

85-48

57-38

60-35

Applicant: ~~Recot, Inc.~~ Frito-Lay North America, Inc.
Dkt. No.: 914-1403A
PVP Application for Potato FL1879
Exhibit D-5

BPA
2/9/05

1379

FL 1879 Tuber Sizes

Length(mm)	Width	Depth
97	84	62
82	67	54
64	62	45
77	69	45
77	82	56
82	67	45
82	75	53
68	67	49
85	73	51
95	84	59
67	69	46
89	76	59
85	76	59
73	73	46
68	75	49
86	62	56
89	82	53
105	82	55
68	67	45
85	77	53
96	75	56
76	62	49
79	75	51
64	73	52
77	62	45
74	67	53
75	65	49
98	79	62
73	73	56
73	75	53
62	67	47
82	75	58
82	69	46
85	76	62
78	69	53
85	69	53
64	75	52
85	76	53
97	88	68
84	67	49
105	82	55
95	70	54
77	76	58
98	83	62
73	67	47
68	67	45
77	69	49

Applicant: ~~Potato, Inc.~~ Frito-Lay North America, Inc.
Dkt. No.: 914-1403A
PVP Application for Potato FL1879
Exhibit D-6; Page 1 of 2

9900366

68	60	46
73	69	53
89	84	55
88	73	54
78	68	52
82	62	47
89	79	56
73	66	53
85	76	56
97	79	62
68	73	46
78	76	56
69	68	49
78	84	59
73	67	49
64	67	46
69	65	44
85	76	62
64	72	59
73	67	43
86	76	58
89	75	51
68	69	46
89	73	50
97	90	54
97	82	56
85	65	50
86	73	58
77	75	56
87	76	56
85	69	48
68	68	46
74	74	63
89	63	49
68	67	49
85	76	49
68	60	46
86	76	56
76	74	54
96	84	61
85	83	55
73	73	53
68	66	40
94	76	54
101	80	60
87	73	55
73	67	45
68	63	49
89	84	55
78	75	54
73	72	53
68	72	48
75	60	46
80.37	72.6	52.47

Applicant: ~~Recof, Inc.~~ ^{80A} ~~Feib-Lay North America~~ ^{2/9/05} ~~Inc.~~
Dkt. No.: 914-1403A
PVP Application for Potato FL1879
Exhibit D-6; Page 2 of 2

SNOWDEN TUBER SIZES

(in centimeters)

Length	Width	Depth
7.4	7.3	5.7
6.2	4.8	4.5
6.8	6	5.7
7.4	6.2	5.1
7.4	7.3	5.7
7.8	7.8	5.3
6.2	5.7	4.5
5.6	6	4.7
6.8	7.2	5.3
6.2	6.5	4.8
6.2	6.1	4.9
5.6	5.9	4
9.4	9.8	7.8
7.4	6.5	4.4
6.2	7	5.3
5.8	6.1	4.9
6.2	6	4.8
5.6	5.3	4.3
5.6	6	4.8
7	6	4.7
7	7.2	4.9
5	6	4.5
5.7	4.8	3.5
5.6	5.3	4.3
7.4	7	5.7
6.5	6.5	5.2
6.8	7.3	5.3
7.4	8	6.5
7	7.3	5.3
4.4	5.3	4.8
7	7.8	5.7
6.5	6	4.8
8.1	7.8	4.7
6.2	6.5	5.3
7.8	6.6	5.1
5.1	5.7	4.5
6.8	6.5	6.4
5	5.7	4
8.1	7	6.1
5.4	5.7	4.5
7.4	7	5.3
8.1	8.8	6
6.8	6.5	5.3

Applicant: ~~Recoet, Inc.~~ ^{Frito-Lay, Inc.}
Dkt. No.: 914-1403A
PVP Application for Potato FL1879 ^{USA}
Exhibit D-6; Page 1 of 3 ^{2/1/05}

SNOWDEN TUBER SIZES

(in centimeters)

Length	Width	Depth
4.4	6	4.5
6.2	6	5.2
7.8	7.8	6
8.1	6.5	5.3
5.6	6.5	4.5
7.8	7	5.3
6.2	7	6.6
6.6	6.5	5.3
6.2	5.7	5.3
7	7	5.3
5.6	5.7	4.7
5.2	5.3	4
6.1	6	4.8
6.5	6.5	4.8
5.6	5.3	4.6
7.8	6.5	5.3
5.4	5.7	4
7.4	6.5	4.8
6.8	7.3	5.7
5.4	5.3	4.2
5	5.9	4.5
7.4	7	5.3
5.7	5.9	4.5
4.5	5.3	4.5
4.6	5.2	4.8
9.4	7.8	6.1
7.4	7.3	6
7.4	7	5.2
6.2	5.3	4.3
6.2	6	4.9
7.4	7.4	5.3
6.5	7.2	5.3
7.4	6.5	5.1
6.8	5.7	4.5
5.6	5.3	4.1
4.3	5.4	4.8
5	5.4	4
5.5	5.3	4.2
5.5	5.3	4
5.4	5.7	3.9
5	5.3	4.7
8.1	6.6	6
5	5.3	4.3

Applicant: ~~Recot, Inc.~~ ~~Auto-Lay North America, Inc.~~
Dkt. No.: 914-1403A
PVP Application for Potato FL1879
Exhibit D-6; Page 2 of 3

SNOWDEN TUBER SIZES

(in centimeters)

<u>Length</u>	<u>Width</u>	<u>Depth</u>
7.8	6.5	5.3
5.4	5.2	4
5.6	5.2	4.4
4.5	5.4	4.1
5.5	5.4	4.5
5	6	3.5
6.2	5.3	4.8
4.5	5.3	4
5.6	5.8	4
5.6	5.3	4
9.2	7	5.1
5.3	5.4	4.2
7.8	6	5.3
5.4	5.3	4

6.4	6.3	4.9
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FORM APPROVED - OMB No. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

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EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) Frito-Lay North America, Inc.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER RD 268-90-6	3. VARIETY NAME FL 1879
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 7701 Legacy Drive Plano, Texas 75024	5. TELEPHONE (Include area code) 972/334-3822	6. FAX (Include area code) 972/334-5965
7. PVPO NUMBER 9900366		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block.
If no, please explain.☒ YES ☐ NO9. Is the applicant (individual or company) a U.S. National or a U.S. based company?
If no, give name of country☒ YES ☐ NO

10. Is the applicant the original owner?

☒ YES ☐ NO

If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

☐ YES ☐ NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (if needed, use the reverse for extra space):

Please Note:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 6 minutes per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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